

Wetlands Bureau Decision Report

Decisions Taken
06/28/2004 to 07/02/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-00811 DERRY, TOWN OF
DERRY Drew Brook

Requested Action:

Request for permit amendment to authorize temporary impacts to the bed and banks of Drew Brook and adjacent forested and scrub-shrub wetlands for construction of a temporary bridge to allow for continued traffic flow during permanent bridge construction.

Conservation Commission/Staff Comments:

No comments received from the Derry Conservation Commission.

Inspection Date: 07/30/2002 by Christian P Williams

APPROVE AMENDMENT:

Fill approximately 1,181 square feet within the bed and banks of Drew Brook and adjacent wetlands to replace three 48-inch diameter culverts with a precast concrete box culvert, and widen roadway approaches to reduce the frequency and duration of flood-related road closures and improve roadway geometry, at the Collette's Grove Road Bridge adjacent to Derry Prime Wetland 8BD. Temporarily impact approximately 482 square feet within the bed and banks of Drew Brook and adjacent forested and scrub-shrub wetlands for construction of a temporary bridge to allow for continued traffic flow during installation of the concrete box culvert.

With Conditions:

1. All work shall be in accordance with the following:

- a) The General Plan and Profile (Drawing #4) by CLD Consulting Engineers dated January 2004 and revised January 20, 2004, as received by the Department on February 12, 2004;
 - b) The Wetland Impact Plan (Drawing #1) by CLD Consulting Engineers dated April 5, 2002, as received by the Department on February 9, 2004;
 - c) The Temporary Bridge Wetland Impact Plan (Sheet C-1B), the Erosion Control Plan (Sheet C-2), and the Erosion Control Details and Notes (Sheets C-4 - C-6) by Eckman Engineering, LLC dated June 8, 2004, as received by the Department on June 25, 2004; and
 - d) The Erosion and Sediment Control Program and Water Diversion System Report by Eckman Engineering, LLC dated June 3, 2004, as received by the Department on June 25, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
 3. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Derry Conservation Commission of the date project construction is proposed to begin.
 4. A professional engineer shall inspect the project to insure compliance with approved plans and permit conditions.
 5. Work shall be conducted during low flow conditions.
 6. No machinery shall enter the water.
 7. Prior to commencing work on a substructure located within surface waters, a temporary cofferdam shall be constructed to isolate the substructure work area from the surface waters.
 8. Temporary cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a temporary cofferdam is fully effective, confined work can proceed without restriction.
 9. Temporary cofferdams shall be entirely removed immediately following construction.
 10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
 11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
 12. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Disturbed river banks shall be restored to original contours and to a stable condition within three days of completion of construction.
19. Precautions shall be taken within riparian areas to limit removal of vegetation to provide temporary construction access. In areas where vegetation has been cleared or otherwise disturbed to provide temporary construction access, native shrub and tree species shall be planted prior to the end of the growing season.
20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in their use.
22. All refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.

With Findings:

1. The proposed amendment is necessary to construct a temporary bridge to allow for continued traffic flow during permanent bridge construction.
2. Impacts to the bed and banks of Drew Brook and adjacent forested and scrub-shrub wetlands associated with construction of the temporary bridge will be temporary in nature.

2004-00475 NH DEPT OF DRED, DIV OF FORESTS & LANDS
ANDOVER Unnamed Wetland

Requested Action:

Upgrade approximately 10,400 linear feet of a Class VI road, requiring 1,506 square feet of impacts to seasonal and perennial streams and associated palustrine forested wetlands to include approximately 800 linear feet of upland roadway improvements adjacent to prime wetland B6, identified as Dawes Meadow, as designated by the Town of Andover.

Conservation Commission/Staff Comments:

The Conservation Commission finds all aspects of the project design and implementation process have been addressed to their satisfaction.

APPROVE PERMIT:

Upgrade approximately 10,400 linear feet of a Class VI road, requiring 1,506 square feet of impacts to seasonal and perennial streams and associated palustrine forested wetlands to include approximately 800 linear feet of upland roadway improvements adjacent to prime wetland B6, identified as Dawes Meadow, as designated by the Town of Andover.

With Conditions:

1. All work shall be in accordance with plans by NH Department of DRED, as received by the Department on June 10, 2004.
2. You follow the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire" published by the NH Dept. of Resources & Economic Development (also available on the Internet at: http://www.nhdf.org/info_plan_bureau/fi&p_waterqualitybmps.htm).
3. Any change in use to a non-forestry purpose will require further permitting by the DES Wetlands Bureau.
4. The buffer around the designated prime wetlands shall be left in its natural state.
5. The boundaries of the wetland buffer shall be clearly marked prior to construction, shall remain marked until construction is complete and the area is fully stabilized.
6. Work shall be done during low flow.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
9. A professional engineer shall inspect the project to insure compliance with approved plans and permit conditions.
10. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that the project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. The approved plans and conditions of the permit maintain the existing buffer around the Prime Wetland area.
8. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
9. Based on the inspection conducted on September 3, 2003 by Jeffrey D. Blecharczyk, the project involves minimal environmental impacts.
10. Based on findings #4, 6, and 9 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2004-00502 WHELEN ENGINEERING INC
CHARLESTOWN Unnamed Stream

Requested Action:

Culvert 340 linear feet of seasonal stream channel including 7,000 square feet of fill to associated palustrine forested wetlands to provide parking associated with manufacturing facility expansions

Conservation Commission/Staff Comments:

The Conservation Commission has no objections and recommends approval for the project.

Inspection Date: 06/28/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Culvert 340 linear feet of seasonal stream channel including 7,000 square feet of fill to associated palustrine forested wetlands providing parking associated with manufacturing facility expansions

With Conditions:

1. All work shall be in accordance with plans by Whelen Engineering Company, Inc. dated June 28, 2004, as received by the Department on June 30, 2004.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Any further alteration of areas on within the Ceda Road Development Park that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Wetlands Bureau.
9. Any further development of areas within the Ceda Road Development Park is contingent on review and approval by the DES Site Specific Program.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is a major impact project per Administrative Rule Wt 303.02(m), Any project that is related to other applications or permits in the wetlands area or wetlands complex in a manner such that if the proposed action were considered to be in a single application the combined impact would be considered major.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 28, 2004. Field inspection determined wetland complex is low value, minimal ecological values.
6. The field inspection determined existing and preexisting stormwater controls were marginal for present site conditions and therefore, future site development should be contingent on review by the NH Site Specific Bureau.
7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem and associated seasonal stream.

2004-00801 NH DEPT OF TRANSPORTATION
WESTMORELAND Mill,beaver & Partridge Brooks

Requested Action:

Stabilize stream banks, repair/improve roadway and drainage, provide scour protection and redesign channel impacting a total of 78,705 sq. ft. (22,540 sq. ft. temporary) of streams, banks and wetlands.

Inspection Date: 03/31/2004 by Gino E Infascelli

APPROVE PERMIT:

Stabilize stream banks, repair/improve roadway and drainage, provide scour protection and redesign channel impacting a total of

78,705 sq. ft. (22,540 sq. ft. temporary) of streams, banks and wetlands. NHDOT project # 14109.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, sheets 1-5 and 7-10 as received by the Department on May 3, 2004; sheet 6 (revised 5/5/04) received May 17, 2004 and per plan set signed May 12, 2004 and received June 10, 2004.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
14. The impacts associated with the temporary work shall be restored immediately following construction.
15. Upstream of Hartwell Mill Road the temporary impact areas shall retain the vegetative root systems.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c) and (i), alteration of more than 20,000 sq. ft. of nontidal wetlands and more than 200 linear feet of stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 8, 2003 and March 31, 2004. Field inspection determined that the stabilization of the stream banks, upgrading drainage structures and channel redesign would alleviate flooding problems resulting in safer roadways.
6. The project has been coordinated with the Connecticut River Advisory Committee and discussed with the attendees of the Natural Resource Agency meeting on December 17, 2003.
7. Where applicable the stabilization of banks will be with humus or a mixture of rock and humus.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine and palustrine wetland ecosystem.

MINOR IMPACT PROJECT

2001-01300 **CIARDI, JOHN & JUDITH A**
WAKEFIELD **Great East Lake**

Requested Action:

Applicant requests an amendment to include a concrete pad to hinge the seasonal dock.

Conservation Commission/Staff Comments:

Permit file assigned to RWH until new permitting staff assignment map is produced.

APPROVE AMENDMENT:

Amend permit to read:

Permanently remove an existing 8 ft x 22 ft wharf, and install a 6 ft x 40 ft seasonal dock hinged to a 2 ft x 6 ft concrete pad, and install 2 seasonal boatlifts on an average of 100 ft of frontage on Great East Lake, Wakefield.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by John M. Ciardi dated February 20, 2004, revised on June 22, 2004, as received by the Department on June 23, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. All portions of the existing 8 ft x 22 ft wharf shall be completely removed from the frontage prior to the construction of any new structure on the frontage.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
9. Seasonal structures shall be removed from the lake for the non-boating season.
10. No portion of the structures shall extend more than 40 feet from the shoreline at full lake elevation.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), removal of a nonconforming wharf and installation of a 2-slip seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on November 15, 2001 on the request of a complaint. Field

inspection determined that nonconforming docking structures with no proof of a permit existed.

6. Applicant has complied with DES by removing the nonconforming structure and applying for a conforming seasonal dock.

2001-02185 DEMERS, DONALD & DARLENE
TUFTONBORO Lake Winnepesaukee

Requested Action:

Applicant requests reconsideration of denial to fill 12,100 square feet of palustrine forested wetland for access to a single family residence.

Conservation Commission/Staff Comments:

The Tuftonboro Conservation Commission has submitted letters of concern regarding this project on two occasions.

DENY RECONSIDERATION:

Reconsider and reaffirm denial of request to dredge and fill 12,100 square feet of palustrine forested wetland for access to a single family residence.

With Findings:

The Wetlands Bureau Reaffirms findings 1-6 and 8-18 of the original denial of this project dated May 17, 2004 and offers the following correction for finding of fact number 7.

7. On November 7, 2002, The Department of Environmental Services Wetland Bureau (The Department) received a permit request to fill 12,100 square feet of palustrine forested wetlands for private access to a single family residence.

The Wetlands Bureau makes the additional findings of law:

Standards for Reconsideration

19. In accordance with RSA 482-A:10,I, Appeals, "[a]ny person aggrieved by a decision made by the department under RSA 482-A:3 or subject to an order of the department under RSA 482-A:6 may apply for reconsideration by the department."

20. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."

21. In accordance with Rule Wt 302.01(b), for nontidal wetlands need shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands.

Grounds for Reconsideration

21. The appellant maintains the access way is unable to be upgraded to be passable on a year round basis.

22. The appellant claims that they were unreasonably denied the ability to review correspondence sent to DES Wetlands by the Conservation Commission as the first indication this correspondence this information existed was the May 17, 2004 permit denial.

23. The appellant claims they were unreasonably denied the ability to review the town tax card which illustrated this property as a seasonal residence.

24. The appellant claims that the repair and upgrade of Sandy Shores Road would act as a dam of the surface water unless culverts are installed and the abutters are unwilling to permit this repair and upgrade.

25. The appellant claims that the Department has not considered the evidence supplied by the applicant supporting this application.

Findings of Fact:

26. DES issued receipt of report letters dated November 26, 2001 and April 9, 2003 to the Tuftonboro Conservation Commission. These letters were carbon copied with attachment to Donald and Darlene Demers.

27. The applicant was made aware of the seasonal status of the residence on April 1, 2003, when DES faxed information to the agent informing him how to obtain year round status. DES and Mr. Demers also discussed the status of the residence at our site

inspection on April 3, 2003. DES also mentioned the seasonality of the residence in a March 30, 2004 e-mail to the agent. At this time, DES Subsurface Bureau has not received any requests for a conversion to year round occupancy.

28. In an e-mail to the applicants agent on March 30, 2004, DES stated that the burden of proof is on the applicant and it is legally unclear who is the owner of Sandy Shores Road.

29. On May 17, 2004, the NHDES Wetlands Bureau denied the application to fill 12,100 square feet of plasturine forested wetland for access to a single family residence as alternate access exists.

30. The applicant submitted a timely request for reconsideration on June 4, 2004.

Rulings in Support of the Decision

31. In accordance with Administrative Rule Wt 302.01(b), the applicant has the burden of proof and has not provided a determination by an appropriate legal body that they do not have the legal right to a year round access way.

32. The applicant has not provided evidence over who is the owner of the existing Right-of-Way, Sandy Shores Road.

33. The proposed project is denied as the applicant has failed to provide a need as required in Wt 302.01(b).

34. The proposed project is denied as the applicant has failed to document that the proposed project is the least impacting alternative to areas under the NHDES Wetland Bureau Jurisdiction in accordance with Wt 302.04(a)(2).

33. The applicant has failed to submit the information required as part of Wt 302.04(a), and reconsideration is therefore denied.

2002-01913 NH DEPT OF TRANSPORTATION

LEBANON Mascoma River

Requested Action:

Impact 6,513 sq. ft. of mostly scrub shrub wetlands (274 sq. ft. temporary) to construct a bike path and install new drainage structures along Mt. Support Rd. and Hanover St. North, collect drainage from the high school, eliminate a 30 in. discharge pipe to Dinsmore Pond and construct a 42 in. culvert outlet and basin in wetlands.

Inspection Date: 08/04/2003 by Gino E Infascelli

Inspection Date: 06/15/2004 by Gino E Infascelli

APPROVE PERMIT:

Impact 6,513 sq. ft. of mostly scrub shrub wetlands (274 sq. ft. temporary) to construct a bike path and install new drainage structures along Mt. Support Rd. and Hanover St. North, collect drainage from the high school, eliminate a 30 in. discharge pipe to Dinsmore Pond and construct a 42 in. culvert outlet and basin in wetlands. NHDOT project #11929.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design revised March 31, 2004, as received by the Department on April 7, 2004 except as follows:

- The drainage pipe shall be eliminated from approximately station 54+80 to 56+60;
- Relocate the rock basin outlet structure approximately 100 feet to the north and use an overflow structure and/or level spreader for the flow to discharge into the wetland instead of the brook;
- There shall be no work in the bank or bed of the brook and
- Final plans shall be submitted to the file by August 1, 2004.

2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.

3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

4. Construction equipment shall not be located within surface waters.

5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated as quickly as possible.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Any further amendment or new application impacting wetland #6 (R4SB3) shall provide structures allowing the retention of sediment and treatment of water prior to the incorporation of flow into the drainage system.
14. Extraordinary precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
15. Construction equipment shall be free of all soil and plant material prior to entering wetlands.
16. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq. ft. of nontidal wetlands.
 2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
 3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
 4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
 5. The original application request was to impact 13,003 sq. ft. (7,234 sq. ft. temporary) to construct a bike path including a bicycle/pedestrian bridge over the river.
 6. The modified and amended application received on April 7, 2004 eliminated the Bicycle/pedestrian Bridge over the river. The amendment also proposed to significantly reduce the flow to an intermittent stream (wetland area 6), which is providing water quality functions and proposed a new 42 in. pipe outlet discharging directly into a perennial brook.
 7. On June 9, 2004 an amended application and plans were received.
 8. On June 15, 2004, DES Staff conducted a field inspection and determined this amended proposal to be a major project per rule Wt 303.02(i), alteration of more than 200 linear feet of a perennial stream. During the inspection the DES requested the outlet structure be moved out of the stream and as far north as possible, eliminating impacts to the perennial stream, and modifications to the drainage pipe locations in order to maintain the intermittent stream and water quality functions.
 9. This permit allows the incorporation of the drainage from the school property eliminating the direct discharge to Dinsmore Pond.
 10. It is anticipated that the city of Lebanon will either amend this application or file a new one to modify the intermittent stream channel (wetland #6) in a manner that will allow water quality functions to continue.
- The new or amended application will be a major project due to the length of the intermittent stream impact.

2003-00114 STARK, JAMES & JUMANNA
MEREDITH Lake Winnepesaukee

Requested Action:

Applicant requests amendment to include a 14 ft by 30 ft seasonal canopy.

Conservation Commission/Staff Comments:

Con. Com. signed

Applicant has installed an illegal 3 ft x 14.5 ft walkway between existing nonconforming 18 ft x 18 ft crib dock and existing 6 ft x 30 ft seasonal pier. Illegal walkway must be removed prior to construction.

APPROVE AMENDMENT:

Amend permit to read:

Install a 6 ft x 30 ft seasonal pier connected to an existing 6 ft x 30 ft seasonal pier with a 3 ft x 12 ft seasonal walkway accessed by 4 ft x 4 ft stairs, and install a 14 ft x 30 ft seasonal canopy on an average of 320 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

With Amended Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated June 22, 2004, as received by the Department on June 24, 2004.
2. No new structures shall be constructed on this frontage until the illegal 3 ft x 14 ft 6 in walkway connecting existing 6 ft x 30 ft seasonal pier with existing nonconforming 18 ft x 18 ft crib dock is completely remove from the jurisdiction of the Wetlands Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. Seasonal piers shall be removed for the non-boating season.
7. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
8. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
10. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of an existing docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2003-02015 MOZDEN, DOROTHY
NEW LONDON Pleasant Lake

Requested Action:

Maintenance dredge 10 cu yds of material from 100 sq ft of lakebed at the mouth of White Brook on an average of 94 ft of frontage Pleasant Lake, New London.

Conservation Commission/Staff Comments:

No USGS map. Digitized from tax map.

Con. Com. did not respond.

APPROVE PERMIT:

Maintenance dredge 10 cu yds of material from 100 sq ft of lakebed at the mouth of White Brook on an average of 94 ft of frontage Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans by Walter Mozden, as received by the Department on September 5, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Work shall be done during drawdown in September, and shall be completed by September 30th.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. This permit shall be used once and does not allow for annual dredging.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredging to provide fisheries habitat.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Fish & Game recommended DES Wetlands Bureau approve project as it will add necessary habitat to vital salmon and trout fisheries in Pleasant Lake.

2003-02827 HAWTHORNE, J MARLIN
DERRY Unnamed Wetland

Requested Action:

Fill approximately 9,200 square feet of forested wetlands to install an 18-inch x 48-foot culvert with stone outlet protection and construct a roadway to provide access to a 6-lot residential subdivision on approximately 27.5 acres.

Conservation Commission/Staff Comments:

No comments received from the Derry Conservation Commission.

Inspection Date: 03/26/2004 by Christian P Williams

APPROVE PERMIT:

Fill approximately 9,200 square feet of forested wetlands to install an 18-inch x 48-foot culvert with stone outlet protection and construct a roadway to provide access to a 6-lot residential subdivision on approximately 27.5 acres.

With Conditions:

1. All work shall be in accordance with the following plans:
 - a) The Existing Conditions Plan (Sheet 3 of 10) by Joseph M. Wichert, LLS., Inc. dated June 8, 2004, as received by the Department on June 25, 2004;
 - b) The Site Plan (Sheet C-1) and Details (Sheet C-6) by Robert G. Rook, P.E. dated November 10, 2003 and revised December 10, 2003, as received by the Department on December 22, 2003; and
 - c) The Erosion Control Details (Sheet C-7) by Robert G. Rook, P.E. dated November 10, 2003, as received by the Department on December 22, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. A minimum of a 100-foot undisturbed buffer adjacent to Derry Prime Wetland C7 shall be established and shall remain in its natural state.
7. The boundaries of the prime wetland buffer shall be clearly marked prior to construction and shall remain marked until construction is complete and the area is fully stabilized.
8. Work shall be conducted during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets to dissipate flow velocities and prevent scour and erosion.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. To minimize wetlands impacts the proposed subdivision roadway will follow the alignment of an existing driveway servicing a single-family residence on-site and will incorporate 2:1 side slopes.
3. In a memo dated December 18, 2003 the NH Natural Heritage Bureau indicated that a population of state-threatened Fringed Gentian was located in the vicinity of the proposed project. Based on review of information provided by the NH Natural Heritage Bureau the Department finds that the location of the documented Fringed Gentian population is located approximately one quarter mile north of the project site.
4. DES Wetlands Bureau staff conducted an inspection of the property on March 26, 2004. Based on observations made by DES Wetlands Bureau staff during the inspection the Department finds that the project is not located adjacent to Derry Prime Wetland C7, per Rule Wt 303.02(f), and project activities will not result in a significant adverse impact to the functions and values of Derry Prime Wetland C7. Furthermore, DES Wetlands Bureau staff found no evidence of the state-threatened Fringed Gentian on the project site.
5. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
6. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application

Evaluation, has been considered in the design of the project.

8. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

2004-00014 KIMBALL, ROBERT & DOROTHY
HOPKINTON Unnamed Pond

Requested Action:

Convert 7,440 square feet of a man made pond to a palustrine emergent wetland

Conservation Commission/Staff Comments:

The Conservation Commission approves of the project, with the condition that all attempts to control possible contamination of ground water from the fill material used and that no work begins until after the vernal pool season.

Inspection Date: 04/27/2004 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Convert 7,440 square feet of a man made pond to a palustrine emergent wetland

With Conditions:

1. All work shall be in accordance with plans by the U.S. Department of Agriculture Soil Conservation Service dated May 28, 2004, as received by the Department on June 7, 2004, and construction sequence prepared by the applicant dated April 28, 2004, as received by the Department on April 28, 2004.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Wetland creation area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
5. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
6. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
7. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
8. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
9. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
10. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project proposes to convert 7,440 sq ft of a man made pond to an emergent wetland and is therefore a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 27, 2004. Field inspection determined the proposed project will have a net benefit for the environment and the public.

2004-00087 JANIAK, JOHN
CHESTER Unnamed Wetland

Requested Action:

Dredge 5,518 square feet of emergent wetlands to construct a pond.

Conservation Commission/Staff Comments:

The Chester Conservation Commission signed the original Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 5,518 square feet of emergent wetlands to construct a pond.

With Conditions:

1. All work shall be in accordance with the following plans by Quico Design/Drafting Services:
 - a) The Wildlife/Landscaping Pond plans (Sheets 1 & 2 of 2) dated July 28, 2003 and revised December 5, 2003, as received by the Department on January 15, 2004; and
 - b) The Section Views (Sheet 1 of 1) dated April 12, 2004, as received by the Department on June 4, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. The project is categorized as a Minor Impact Project, per Administrative Rule Wt 303.03(e), as the project involves alteration of less than 20,000 square feet of poorly drained and very-poorly drained emergent wetlands for pond construction.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00585 FERNALD FAMILY TRUST, BARRY & TOBY FERNALD
WOLFEBORO Lake Wentworth

Requested Action:

Permanently remove an existing 3 ft x 40 ft seasonal dock, and replace with a 6 ft x 50 ft seasonal dock, and excavate 420 sq ft of bank to construct a 14 ft x 30 ft perched beach, utilizing 10 cu yds of sand, surrounded by 40 linear ft of stone wall, with stairs accessing the beach and the water, on an average of 150 ft of frontage on Lake Wentworth, Wolfeboro.

Conservation Commission/Staff Comments:

Con. Com. noted that a perched beach already exists (after-the-fact?), and a 6 ft x 30 ft dock as well.

APPROVE PERMIT:

Permanently remove an existing 3 ft x 40 ft seasonal dock, and replace with a 6 ft x 50 ft seasonal dock, and excavate 420 sq ft of bank to construct a 14 ft x 30 ft perched beach, utilizing 10 cu yds of sand, surrounded by 40 linear ft of stone wall, with stairs accessing the beach and the water, on an average of 150 ft of frontage on Lake Wentworth, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated March 17, 2004, revised on June 18, 2004, as received by the Department on June 21, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. This shall be the only dock on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. The seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation.
10. Excavated and removed material, along with all construction debris, shall be placed outside of the DES Wetlands Bureau jurisdiction prior to new construction.
11. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 534). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
12. The steps installed for access to the water shall be located completely landward of the normal high water line.
13. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
14. This permit shall be used only once, and does not allow for annual beach replenishment.
15. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
16. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
17. The applicant shall notify the Loon Preservation Committee once construction begins.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), modification of an existing seasonal docking structure longer than 40 ft.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The project was deemed by NH Fish & Game to have no significant impacts on any sensitive species in the vicinity.

2004-00646 MELONE, JEAN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a 3 ft x 24 ft seasonal dock and a 3 ft x 12 ft walkway to connect to an existing 3 ft x 64 ft seasonal dock to form a u-shaped structure on a property having an average of 189 ft of shoreline frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Install a 3 ft x 24 ft seasonal dock and a 3 ft x 12 ft walkway to connect to an existing 3 ft x 64 ft seasonal dock to form a u-shaped structure on a property having an average of 189 ft of shoreline frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on June 16, 2004 and revised and received by the department on June 30, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal pier shall be removed from the waterbody for the non-boating season.
5. No portion of the pier shall extend more than 64 feet from the shoreline at the normal high water mark.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d)(3), construction of a docking structure providing three boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Common loon, a species of concern, was identified by the NH Fish and Game Department as being in the area of the project and concluded the project would have no impacts.

MINIMUM IMPACT PROJECT

2004-00587 STOREY, DAVID
NEWTON Unnamed Wetland

Requested Action:

Fill approximately 2,482 square feet of forested wetlands to install a 30-inch x 122-foot culvert with stone outlet protection for

construction of a roadway to provide access to a 20-lot residential subdivision on approximately 49.95 acres.

Conservation Commission/Staff Comments:

No comments received from the Newton Conservation Commission.

APPROVE PERMIT:

Fill approximately 2,482 square feet of forested wetlands to install a 30-inch x 122-foot culvert with stone outlet protection for construction of a roadway to provide access to a 20-lot residential subdivision on approximately 49.95 acres.

With Conditions:

1. All work shall be in accordance with the following plans by S.E.C. & Associates, Inc.:
 - a) The Lotting Plan (Sheet 3 of 16) dated October 1, 2003 and revised February 18, 2004, as received by the Department on April 8, 2004; and
 - b) The Roadway Profile (Sheet 10 of 15) and the Erosion Control Details (Sheet 13 of 16) dated October 1, 2003 and revised June 7, 2004, as received by the Department on June 9, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Newton Conservation Commission of the date project construction is proposed to begin.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Stone aprons shall be installed at culvert outlets to dissipate flow velocities and prevent scour and erosion.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(f), as the project involves alteration of less than 3,000 square feet in forested wetlands.
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to

areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

5. The Department finds that a complete technical review of site drainage issues, including stormwater analyses for quality and quantity of stormwater runoff, has been conducted by the DES Site Specific Program. This includes, but is not limited to, review of: methods to control peak stormwater discharge rates; construction erosion controls; and methods for treatment of stormwater runoff from impervious surfaces. Issuance of DES Site Specific Permit WPS 6800 on June 7, 2004 is indicative that all requirements of Env-Ws 415 have been satisfied.

2004-00776

BARTLETT, HENRY & IVA

STRAFFORD Unnamed Wetland

Requested Action:

Fill approximately 622 square feet within forested wetlands and a roadside drainage ditch to construct a parking lot and hiking trail for patrons of Blue Job State Forest.

Conservation Commission/Staff Comments:

In a letter dated March 18, 2004 the Strafford Conservation Commission indicated that the project will be a great benefit to the community.

APPROVE PERMIT:

Fill approximately 622 square feet within forested wetlands and a roadside drainage ditch to construct a parking lot and hiking trail for patrons of Blue Job State Forest.

With Conditions:

1. All work shall be in accordance with the Parking Lot/Drainage Design Plan (Sheet 1) and the Wetland Impact Plan (Sheet 2) by the New Hampshire Department of Resources and Economic Development dated April 2003, as received by the Department on April 29, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be conducted during low flow conditions.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(f), as the project involves alteration of less than 3,000 square feet in forested wetlands.
2. The project will not only create a new, larger parking area for patrons of Blue Job State Forest, it will provide better site distance along First Crown Point Road compared to the existing parking area, thereby improving public safety.
3. In a letter dated March 18, 2004 the Strafford Conservation Commission indicated that the project will be a great benefit to the community.

4. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
5. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2004-01331 BUNTING FAMILY V FORESTRY LLC
COLUMBIA Unnamed Stream

COMPLETE NOTIFICATION:
Columbia Tax Map 405, Lot# 8

2004-01332 MANSELL, DEREK
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury Tax map 230, Lot# 13

2004-01335 COTA, KAREN & GARY ROBINSON
ROXBURY Unnamed Stream

COMPLETE NOTIFICATION:
Roxbury Tax Map 2, Lot# 66-2

2004-01337 TROY WATER WORKS
JAFFREY Unnamed Stream

COMPLETE NOTIFICATION:
Jaffrey Tax Map 203, Lot# 10

2004-01338 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
MILLSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Millsfield Tax Map 1623, Lot# 14

2004-01339 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
DUMMER Unnamed Stream

COMPLETE NOTIFICATION:
Dummer Tax Map R1, Lot# 2

2004-01340 PETTIT, REGGIE & KAREN
ASHLAND Unnamed Stream

COMPLETE NOTIFICATION:
Ashland Tax Map 20, Lot# 2, 3 & 6

2004-01341 NORTHUMBERLAND, TOWN OF
NORTHUMBERLAND Unnamed Stream

COMPLETE NOTIFICATION:
Northumberland Tax Map R8, Lot# 114

2004-01342 CHRISTI, COLIN
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:
Lancaster Tax Map R20, Lot# 3

2004-01343 O'DONNELL, PATRICK
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:
Concord Tax Map 120, Lot# 1-5

2004-01344 ARDEN FOREST LLC
WENTWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Wentworth Tax Map 1, Lot# 12

2004-01345 ARDEN FOREST LLC
WARREN Unnamed Stream

COMPLETE NOTIFICATION:
Warren Tax Map 9, Lot# 5

2004-01366 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax map 1619, Lot# 1-2

2004-01367 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 42

2004-01368 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 1.2

2004-01369 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 1.2

2004-01370 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 2 & 8

2004-01371 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 1.2

2004-01372 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 1.2

2004-01373 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 1.2

2004-01376 WHITE MTN NATIONAL FOREST
RANDOLPH Unnamed Stream

COMPLETE NOTIFICATION:
Randolph Tax Map R2, Lot# 1

2004-01377 WHITE MTN NATIONAL FOREST
RANDOLPH Unnamed Stream

COMPLETE NOTIFICATION:
Randolph Tax Map R15, Lot# 20

2004-01378 WHITE MTN NATIONAL FOREST
JEFFERSON Unnamed Stream

COMPLETE NOTIFICATION:
Jefferson Tax Map 22, Lot# 8 & 9

2004-01379 WHITE MTN NATIONAL FOREST
LOW BURBANK GRA Unnamed Stream

COMPLETE NOTIFICATION:
Low & Burbanks Grant Tax Map None, Lot# None

2004-01380 WHITE MTN NATIONAL FOREST, C/O WAYNE MILLEN
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax Map 407, Lot# 11

2004-01382 WHITE MTN NATIONAL FOREST, C/O WAYNE MILLEN
MILAN Higgins Brook

COMPLETE NOTIFICATION:
ilan Tax Map 133, Lot# 6

2004-01383 IBER, MARK
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 7, Lot# 6

2004-01384 SOMERO, PAUL & JAYNE
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:
New Ipswich Tax Map 2 & 7, Lot# 9,11 & 58

EXPEDITED MINIMUM

2004-00297 CHAMPLIN FIDUCIARY TRUST, VIRGINIA
ROCHESTER Tributary To Clark Brook

Requested Action:

Approve name change to: Vandelay Builders Inc., PO Box 817, Milton,NH 03851 per request received 6/25/04.

Conservation Commission/Staff Comments:

The Rochester Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE NAME CHANGE:

Dredge and fill approximately 2,800 square feet of forested wetlands to construct a roadway to provide access to 27 lots of a 33-lot residential subdivision on approximately 310 acres.

With Conditions:

1. All work shall be in accordance with the Overall Wetland Impact Plan (Sheet W-1) and the Wetlands Impact Plan (Sheet W-2) by Norway Plains Associates, Inc. dated January 2004 and revised April 15, 2004, as received by the Department on April 19, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Work shall be done during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-00726

NASSAR, SAMUEL

WINDHAM Unnamed Wetland

Requested Action:

Permanently impact approximately 430 square feet and temporarily impact approximately 910 square feet within the bed and banks of an intermittent stream and adjacent emergent wetlands to install an 18-inch by 50-foot culvert associated with construction of a roadway to provide access to a 15-lot residential subdivision on approximately 21 acres.

Conservation Commission/Staff Comments:

The Windam Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Permanently impact approximately 430 square feet and temporarily impact approximately 910 square feet within the bed and banks of an intermittent stream and adjacent emergent wetlands to install an 18-inch by 50-foot culvert associated with construction of a roadway to provide access to a 15-lot residential subdivision on approximately 21 acres.

With Conditions:

1. All work shall be in accordance with the following plans by SFC Engineering Partnership Inc.:
 - a) Plan Sheets 1 - 23 of 23 dated March 26, 2004 and revised May 13, 2004, as received by the Department on June 3, 2004; and
 - b) The Wetlands Application Plan (Sheet 1 of 1) dated March 31, 2004, as received by the Department on April 26, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Work shall be done during low flow conditions.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project per Administrative Rule Wt 303.04(f), as the project involves alteration of less than 3,000 square feet within wet meadow wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00764

STACKPOLE, ROBERT

SOMERSWORTH Unnamed Wetland

Requested Action:

Dredge and fill approximately 2,947 square feet of forested wetlands to construct Commercial Drive, a connector road between Willand Drive and High Street.

Conservation Commission/Staff Comments:

The Somersworth Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 2,947 square feet of forested wetlands to construct Commercial Drive, a connector road between Willand Drive and High Street.

With Conditions:

1. All work shall be in accordance with the Construction Plans (Sheets C1 and C2) by Trittech Engineering Corp. dated March 12, 2004, as received by the Department on April 29, 2004:
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during no flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of forested wetlands.
2. The alignment of Commercial Drive will follow the alignment of a recently installed water line. Wetlands impact associated with installation of the water line were authorized under Wetlands and Non-Site Specific Permit No. 2003-01765.
3. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
4. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00781 JAGG REALTY TRUST
BROOKFIELD Unnamed Stream

Requested Action:

Dredge and fill approximately 2,220 square feet within the bed and banks of an intermittent stream and associated forested wetlands to install a 15-inch by 30-foot culvert and construct a driveway to provide access to a single lot within a 3-lot residential subdivision on approximately 12 acres.

Conservation Commission/Staff Comments:

The Brookfield Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 2,220 square feet within the bed and banks of an intermittent stream and associated forested wetlands to install a 15-inch by 30-foot culvert and construct a driveway to provide access to a single lot within a 3-lot residential subdivision on approximately 12 acres.

With Conditions:

1. All work shall be in accordance with the Proposed Subdivision Plan (Sheet 1 of 1) by Land Technical Service Corp. dated April 8, 2004 with revisions through June 3, 2004, as received by the Department on June 7, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during no flow conditions.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet within forested wetlands.
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2004-00949 BAE SYSTEMS INFO & ELEC SYSTEM INTEGRATION, INC
MILFORD Unnamed Stream

Requested Action:

Dredge 200 sq. ft. for maintenance to remove debris from existing road culvert inlet and outlet and replace with rip rap.

Conservation Commission/Staff Comments:

Signed the application but requested additional conditions, which have been incorporated.

APPROVE PERMIT:

Dredge 200 sq. ft. for maintenance to remove debris from existing road culvert inlet and outlet and replace with rip rap.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services Inc. dated December 9/2003, as received by the Department on May 17, 2004, and per material from BAE Systems dated May 24, 2004, received by the Department on May 27, 2004.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall take place in Atlantic white cedar swamps.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. No salt shall be used within 100 ft. of the wetland.
9. Signs shall be posted prohibiting the plowing of snow into the wetland.

-Send to Governor and Executive Council-

2004-01069 PSNH
TILTON Unnamed Wetland

Requested Action:

Dredge and fill approximately 750 square feet of forested/scrub-shrub wetland to install a 24-inch by 30 foot culvert to widen an existing gravel roadway for vehicular access to a commercial lot on approximately 10 acres.

Conservation Commission/Staff Comments:

The Tilton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 750 square feet of forested/scrub-shrub wetland to install a 24-inch by 30 foot culvert to widen an existing gravel roadway for vehicular access to a commercial lot on approximately 10 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Keach-Nordstrom Associates, Inc. dated March 2004 with revisions through April 26, 2004, as received by the Department on May 27, 2004:
 - a. Non-Residential Site Plan (Sheet 2 of 12)
 - b. Grading and Utility Plan (Sheet 3 of 12)
 - c. Erosion Control Plan (Sheet 5 of 12)
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting,

and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during no flow conditions.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant is installing a larger culvert to improve drainage.

2004-01263 QUIMBY POINT BOAT CLUB ASSOC
LACONIA Lake Winnepesaukee

Requested Action:

Install six seasonal boatlifts in six existing slips at a previously permitted permanent docking structure on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application, telephone contact with Con Com has no concerns

APPROVE PERMIT:

Install six seasonal boatlifts in six existing slips at a previously permitted permanent docking structure on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated May 26, 2004, as received by the Department on June 14, 2004.
2. The boatlifts shall be seasonal design and removed from the waterbody for the non-boating season.
3. The boatlifts shall be placed in the existing slips.
4. The boatlifts shall be installed with no modification to the lakebed.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(ac).

2004-01293 DUFFIELD, PETER
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replenish existing sloped beach with no more than 10 cy of sand on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replenish existing sloped beach with no more than 10 cy of sand on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated May 20, 2004, as received by the Department on June 16, 2004.
2. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
3. This permit shall be used only once, and does not allow for annual beach replenishment.
4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(aa).

2004-01299 HALLERAN, ROY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 440 sqft perched beach in the location of an existing sloped beach on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 440 sqft perched beach in the location of an existing sloped beach on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Matthew Wood, as received by the Department on June 16, 2004.
1. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
2. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
3. The steps installed for access to the water shall be located completely landward of the normal high water line.
4. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d).

GOLD DREDGE

2004-01415 ROY, KRISTINA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

2004-01416 ROY, CHADWICK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
Bath ConCom

TRAILS NOTIFICATION

2004-01334 AVERY TRUST, ELVIRA
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Wolfeboro Tax Map 255 & 269, Lot# 4 & 5

2004-01374 FRENCH JR, WILLIAM
HOOKSETT Unnamed Stream

COMPLETE NOTIFICATION:
Hooksett Tax Map 4, Lot# 23
Allentown Bear Brook State Park

LAKES-SEASONAL DOCK NOTIF

**2004-01424 MALZ, ROBERT & K
ENFIELD Mascoma Lake**

COMPLETE NOTIFICATION:
Enfield Tax Map 32, Lot# 4 Mascoma Lake

**2004-01426 SHEA, STANLEY
RAYMOND Onway Lake**

COMPLETE NOTIFICATION:
Raymond Tax Map 5, Lot# 27 Onway Lake

**2004-01429 MOHL, BRUCE
MEREDITH Lake Waukewan**

COMPLETE NOTIFICATION:
Meredith Tax Map U9, Lot# 1 Lake Waukewan

**2004-01430 HARRINGTON, JOHN & CHRISTINE
WAKEFIELD Balch Lake**

COMPLETE NOTIFICATION:
Wakefield Tax Map 41, Lot# 49 Balch Lake

**2004-01431 MANAHAN, RONALD & TERESA
HARRISVILLE Chesham Pond**

COMPLETE NOTIFICATION:
Harrisville Tax Map 40, Lot# 56 Chesham Pond

ROADWAY MAINTENANCE NOTIF

**2004-01440 NH DEPT OF TRANSPORTATION
SULLIVAN Ditch**

PERMIT BY NOTIFICATION

2004-01022 MORSE, JEFFREY
FREEDOM Ossipee River

Requested Action:

Remove existing 30 foot seasonal dock and construct a 4 foot by 30 foot seasonal pier connected to a new 6 foot by 26 foot seasonal dock to form an L-configuration on a property with approximately 100 feet of shoreline frontage on the Ossipee River.

Conservation Commission/Staff Comments:

The Freedom Conservation Commission did not sign the original PBN form.

APPROVE PERMIT:

Remove existing 30 foot seasonal dock and construct a 4 foot by 30 foot seasonal pier connected to a new 6 foot by 26 foot seasonal dock to form an L-configuration on a property with approximately 100 feet of shoreline frontage on the Ossipee River.

With Conditions:

1. All work shall be in accordance with plans by Jeff Morse dated April 30, 2004, as received by the Department on May 24, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl.
5. This permit does not allow for maintenance dredging.
6. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
7. Seasonal piers shall be removed from the river for the non-boating season.
8. No portion of the pier shall extend more than 30 feet from the shoreline at normal high water elevation.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), modification of seasonal docks if no more than two boatslips are proposed and Wt 402, insufficient water depth.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Sensitive species identified by the NH Natural Heritage Bureau within the area will not be impacted as they are upland species.
6. Written comment were received from the Freedom Conservation Commission on May 24, 2004.

2004-01165 CARIGNAN, RICHARD & ANITA
ALTON Lake Winnepesaukee

Requested Action:

PBN#11, Repair existing breakwater in-kind.

Conservation Commission/Staff Comments:

The Alton Conservation Commission signed the PBN form and submitted comments with no objections.

PBN IS COMPLETE:

PBN#11, Repair existing breakwater in-kind.

2004-01198 JBB REALTY TRUST
GILFORD Lake Winnepesaukee

Requested Action:

PBN#11, In-kind repair of existing crib dock.

Conservation Commission/Staff Comments:

The Gilford Conservation Commission did not sign the PBN form.

PBN IS COMPLETE:

PBN#11, In-kind repair of existing crib dock.